



**State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-5171



February 6, 2002

Arthur Buswell  
Tracey Lane LLC  
350 Winding Pond Drive  
Londonderry, NH 03053-3391

**LETTER OF DEFICIENCY# WSEB 02-05**  
**CERTIFIED MAIL 7099 3400 0003 0692 2495**

Subject: Hudson - Public Water System: Nottingham Plaza (EPA # 1206040)

Dear Mr. Buswell:

The records of the Department of Environmental Services (DES) show that the Nottingham Plaza water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit bacteria samples and as a result Monitoring/Reporting (M/R) violations were issued for the following months:

**December 2000, September 2001 and December 2001**

In view of the Monitoring/Reporting violations, DES believes the deficiencies can be corrected by taking the following actions:

- By February 19, 2002, submit a water sample for bacteria analysis to the state laboratory, or a state-certified laboratory, in accordance with NH Admin. Rule Env-Ws 325; and**
- 2 In the future, submit routine water samples for bacteria analysis during the water system's scheduled sampling months of March, June, September, and December.**

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has failed to monitor for bacteriological water quality. DES records show that the water system failed to do public notification for the monitoring/reporting violations for the following months:

**December 2000 and September 2001**

In view of the public notice violations, DES believes the deficiencies can be corrected by taking the following actions:

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1. By February 19, 2002, carry out public notice requirements for the violations listed above; and
2. By March 1, 2002, provide proof of public notice to DES.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Linda Magoon by phone at (603) 271-0672 or by e-mail at [lmagoon@des.state.nh.us](mailto:lmagoon@des.state.nh.us), if you have any questions regarding this letter.

Sincerely,

 **COPY**

Anthony P. Giunta, P.G., Administrator  
Water Supply Engineering Bureau

cc: ✓Gretchen Rule, DES Legal Unit  
William Oleksak, Town of Hudson Health Officer  
EPA, Region 1